

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

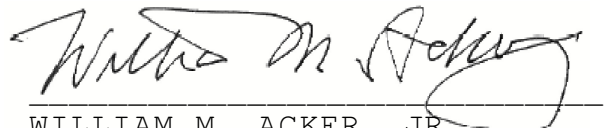
PATRICK JAMES CONATY, JR.,)	
)	
Plaintiff ,)	
)	
v.)	Case No. 2:06-cv-02058-WMA-RRA
)	
BARRY SUTTON, <i>et al.</i>)	
)	
Defendants.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on December 19, 2006, recommending that this action be dismissed for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). The magistrate judge further recommended that any state law claims be dismissed, without prejudice, pursuant to 28 U.S.C. § 1367(c)(3). No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and hereby is ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed without prejudice. A final order will be entered.

DATED this 10th day of January, 2007.



WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE